

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ MAR 28 2008 ★

BROOKLYN OFFICE

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CARLOS RAMIREZ,

Plaintiff,

- against -

POLICE OFFICER ARNOLD ROBERTS, NYCPD Shield
No. 30388; RETIRED POLICE OFFICER RICHARD
TROISE, NYCPD Shield No. 15314; JULIO C.
LIZARAZO, Shield No. 5447; JOSE O. COTTI, Shield No.:
5414; and JOHN DOE, NYC Transit Police Officer,

Defendants.
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ORDER

1:06-CV-06773-ENV-LB

VITALIANO, D.J.

On February 27, 2008 Magistrate Judge Lois Bloom issued a Report and Recommendation in the above-captioned action recommending that the action be dismissed without prejudice as to defendants Lizarazo and Cotti pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. No objections to Magistrate Bloom's Report and Recommendation have been timely filed.

In reviewing a Report and Recommendation, this court "may accept, reject, or modify, in whole or in part, the findings and recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). Moreover, in order to accept a magistrate judge's Report and Recommendation where no timely objection has been made, the "court need only satisfy itself that there is no clear error on the face of the record." Urena v. New York, 160 F.Supp.2d 606, 609-10 (S.D.N.Y. 2001) (quoting Nelson v. Smith, 618 F.Supp. 1186, 1189 (S.D.N.Y. 1985)).

Magistrate Judge Bloom's Report and Recommendation is comprehensive and well-reasoned. Because this court, after careful review, finds no clear error in the Report and Recommendation, the court therefore adopts the Report and Recommendation in its entirety as the opinion of the court. Accordingly, for the reasons stated therein, it is ORDERED that the action is dismissed without prejudice as to defendants Lizarazo and Cotti. The case shall continue solely against defendants Roberts and Troise.

DATED: Brooklyn, New York
March 26, 2008

SO ORDERED. /

s/ENV

ERIC N. VITALIANO
United States District Judge